

2662

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF  
TIME UNDER 37 CFR 1.136(a) (Large Entity)**

Docket No.  
95443-US

RECEIVED

In Re Application Of: Ben Bacque et al.

SEP 25 2001

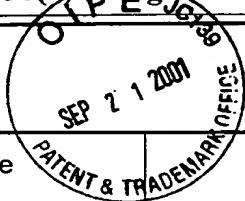
Serial No.  
09/199,786

Filing Date  
11/25/98

TECHNOLOGY CENTER 2800

Examiner  
J. Logsdon

Group Art Unit  
2662



Invention:

**CONTROLLING ATM LAYER TRANSFER CHARACTERISTICS BASED ON PHYSICAL LAYER  
DYNAMIC RATE ADAPTATION**

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Technology Center 2800

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of 06/05/01 in the above-identified application.

Date

The requested extension is as follows (check time period desired):

One month       Two months       Three months       Four months       Five months

from: 09/05/01      until: 10/05/01  
*Date*

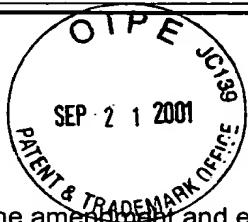
The fee for the amendment and extension of time has been calculated as shown below:

**CLAIMS AS AMENDED**

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	24 -	21 =	3	x \$18.00	\$54.00
INDEP. CLAIMS	6 -	6 =	0	x \$80.00	\$0.00
<b>Fee for Amendment</b>					<b>\$54.00</b>
<b>Fee for Extension of Time</b>					<b>\$110.00</b>
<b>Total Fee for Amendment and Extension of Time</b>					<b>\$164.00</b>

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TIME UNDER 37 CFR 1.136(a) (Large Entity)**

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The fee for the amendment and extension of time is to be paid as follows:

A check in the amount of \$164.00 for the amendment and extension of time is enclosed.

Please charge Deposit Account No. in the amount of \$164.00  
A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 13-1717  
A duplicate copy of this sheet is enclosed.  
 Any additional filing fees required under 37 C.F.R. 1.16.  
 Any patent application processing fees under 37 CFR 1.17.

If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 13-1717 A duplicate copy of this sheet is enclosed.

Signature

Dated: September 20, 2001

George M. MacGregor  
37,547

Marks & Clerk  
P.O. Box 957, Station B  
Ottawa, ON, K1P 5S7  
CANADA

cc:

I certify that this document and fee is being deposited on with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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SEP 25 2001  
TECHNOLOGY CENTER 2800

A/5  
9/27/01  
JD

In re Application of:

Ben Bacque et al.

For : CONTROLLING ATM LAYER TRANSFER CHARACTERISTICS BASED  
ON PHYSICAL LAYER DYNAMIC RATE ADAPTATION

Serial No. : 09/199,786

Filed : November 25, 1998

Examiner : J. Logsdon

Art Unit : 2662

Our File : 95443-US

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Technology Center 2600

September 20, 2001

**Director of the United States  
Patent and Trademark Office  
Washington, D.C. 20231  
U. S. A.**

Sir:

In response to the Official Action written June 5, 2001 please amend this application as set forth below. A petition for extension of time is attached hereto.

**IN THE CLAIMS**

Please amend claims 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18 and 21 as follows:

*Subj*

*A*

1. (amended) In a communications system for transporting data traffic downstream from an upstream source over a path which includes a transmission link having a physical layer transport rate which is subject to variations as a function of time, a method of managing transmission of the data traffic through the system, the method comprising: the steps of: monitoring the physical layer transport rate of said link; sending to said upstream source a management message including rate information based on the monitored physical layer transport rate; and adjusting, by said upstream source, said transmission rate responsive to the rate information in said management message.
  
2. (amended) A method as defined in claim 1 wherein said management message is generated in response to a change in said physical layer transport rate.

09/24/2001 CNGUYEN 00000119 09199786

01 FC:103  
02 FC:115

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110.00 QP